S.B. CIVIL WRIT PETITION NO.1773/2003
Bhikha Ram and others vs. State & ors.

Date : 21.3.2005

HON'BLE MR. PRAKASH TATIA, J.

Mr. J.L. Purohit, for the petitioners.
Mr. Pradeep Shah) for the respondents.
Mr. S.N. Tiwari, Dy.GA)

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Heard learned counsel for the parties.

The grievance of the petitioners is that because of some famine work, the petitioner's land was used for taking out some soil etc.

The interest of the petitioner was safeguarded by this Court by passing order dated 25.4.2003 by directing that if the respondents are digging up trenches in the land of the petitioner, they will be made to fill the trenches again. Therefore, if any digging will be done, that will be at the risk of the respondents.

It appears from the facts of the case that the proceedings under Section 91 of the Rajasthan Land Revenue Act were initiated and the same are pending before the appellate court as submitted by learned counsel for petitioner.

However, since that was a matter of moment as some

land was used for some purpose and this Court passed appropriate order on 25.4.2003 and now with the passage of time, the present writ petition has become infructuous.

In view of the above, nothing survives in this writ petition.

Accordingly, this writ petition is dismissed as having become infructuous.

(PRAKASH TATIA), J.

S.Phophaliya